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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,289	06/22/2001	Paolo Burattin	022701-935	6557
7590	03/09/2005		EXAMINER	
Norman H. Stepno, Esquire BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404			PASTERCZYK, JAMES W	
			ART UNIT	PAPER NUMBER
			1755	

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/886,289

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

20050307

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Commissioner for Patents

See attached response to the Rule 312 amendment of 3/17/04.

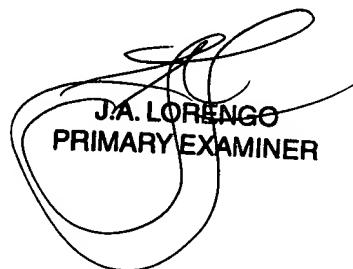
Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/886,289	BURATTIN ET AL.	
	Examiner	Art Unit	
	J. Pasterczyk	1755	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 17 March 2004 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

The specification does not support amino groups on the aryl rings of formulae I, II or III, thus the analogy to formula I fails and the amendment would be new matter if entered. Filing of a CIP application would appear to be necessary to capture this limitation. Given that NR4+ is also found in the claims, it is not clear that the correction would be the proposed amino group.



J.A. LORENZO
PRIMARY EXAMINER



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AU 1755
3/7/05